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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

JEROME WEATHINGTON
BOP# 08121-028

DOCKET NO. 09-CV-1183; SEC. P

VERSUS

JUDGE DEE D. DRELL

UNITED STATES OF AMERICA, ET AL. MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein and after a de novo review of the record, including the objections filed by the plaintiff, having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that Plaintiff's civil rights complaint be and is hereby DENIED and DISMISSED WITH PREJUDICE as failing to state a claim for which relief can be granted, pursuant to 28 U.S.C. §1915(e)(2)(b). The remaining claim against the United States of America, filed under the Federal Tort Claims Act, will proceed in due course.

THUS DONE AND SIGNED at Alexandria, Louisiana, on this 11
day of February, 2010.



DEE D. DRELL
UNITED STATES DISTRICT JUDGE